

## **REMARKS**

### **INTRODUCTION**

Claims 1-5, 11-15, 28-31 and 33-71 were previously and are currently pending and under consideration.

Claims 1-5, 11-15, 28-31, 34-36, 39-45, 51-54 and 62-65 are allowed.

Claims 33, 50 and 61 are amended herein.

No new matter is being presented, and approval and entry are respectfully requested.

### **ENTRY OF AMENDMENT UNDER 37 CFR §1.116**

Applicant requests entry of this Rule 116 Response because:

(a) it is believed that the amendment of the claims puts this application into condition for allowance as suggested by the Examiner;

(b) the amendments were not earlier presented because the Applicant believed in good faith that the cited prior art did not disclose the present invention as previously claimed;

(c) the amendments of the claims should not entail any further search by the Examiner since no new features are being added or no new issues are being raised; and

(d) the amendments do not significantly alter the scope of the claims and place the application at least into a better form for purposes of appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

#### **CLAIM OBJECTIONS**

Claims 33, 50 and 61 are objected to due to informalities. Appropriate corrections are made herein

#### **REJECTIONS UNDER 35 USC § 112, SECOND PARAGRAPH**

The rejections were corrected in a Supplemental Amendment filed August 5, 2004.

#### **ABSTRACT**

The Abstract was corrected in the Supplemental Amendment of August 5, 2004.

#### **CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 12 Nov 2004

By: James T. Strom  
James T. Strom  
Registration No. 48,702

1201 New York Ave, N.W., Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501